

### REMARKS

Claims 1-22 are pending. By this Amendment, Claims 2, 4, 11, and 13 are amended responsive to the objection addressed below and not for any reason related to patentability.

Applicants respectfully request reconsideration of the Application in view of the remarks contained herein.

#### *Objections to the Claims*

Claims 2, 4, 11 and 13 are objected to for minor informalities contained therein. Applicants have amended Claims 2, 4, 11 and 13, responsive to the objection, for clarification purposes only and not for any reason related to patentability.

Accordingly, Applicants respectfully request withdrawal of the objection.

#### *Claim Rejections - 35 U.S.C. § 101*

Claims 10-21 are rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicants respectfully traverse the rejection.

Applicants note that, although a signal is described in the specification on page 6, lines 13 through page 7, line 16, Claim 10 is directed to an article of manufacture comprising a computer readable *storage medium*, and Claim 19 is directed to a computer program product embodied on a computer readable *storage medium*. Both Claims 10 and 19 are amended to further clarify that the claimed subject matter is directed to a computer readable storage medium, and a medium neither a signal nor energy. As such, Applicants respectfully submit that Claims 10 and 19, and the claims depending therefrom, are directed to a statutory subject matter under 35 U.S.C. § 101. Consequently, Applicants respectfully request withdrawal of the rejection.

#### *Claim Rejection - 35 U.S.C. §§ 102 and 103*

Claims 1, 5-10, and 14-22 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,006,216 to Griffin et al. ("Griffin"). Claims 2-4 and 11-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Griffin in view of U.S. Patent No. 6,484,309 to Nowlin, Jr. et al. ("Nowlin"). Applicants respectfully traverse the rejection.

Applicants respectfully submit that Griffin does not disclose storing representations, for at least one entry in the source table, of the action type and of the unique key in a log table under a condition that the action type coincides with a predetermined action type, as recited in Claim 1. In the Response to Arguments section of the Office Action, it is asserted that "Griffin discloses an action type in the delta (*i.e.*, "+" for add, "-" for delete, and "mod" for update, col. 11, lines 24-36)." *See* the Office Action at page 4, lines 3-4. However, the Office Action then argues that the Griffin discloses that the "deltas store a transaction under a condition that the transaction is an update transaction." *Id.* at page 4, lines 7-13. Therefore, the Office Action now appears to argue that the action types of Griffin are the update or read transactions.

If the action type is considered to be "+", "-", or "mod", then Griffin does not disclose storing representations, for at least one entry in the source table, of the action type and of the unique key in a log table under a condition that the action type coincides with a predetermined action type, as recited in Claim 1, because there is no condition to meet. Rather, the action types "+", "-", and "mod" do not exist until the deltas are generated. *See* Griffin at col. 11, lines 24-36. Therefore, if the action types do not exist until the deltas are created, the action types cannot be used to determining when to create the deltas. That is, the representations of an action type and a unique key cannot be stored in the deltas under a condition that the action type coincides with a predetermined action type, because the action types asserted by the Office Action (*i.e.*, the "+", "-", and "mod") do not exist until after the deltas are created. Accordingly, Applicants respectfully submit that Griffin does not disclose the feature of storing representations, for at least one entry in the source table, of the action type and of the unique key in a log table under a condition that the action type coincides with a predetermined action type, recited in Claim 1.

If the action types are considered the update and read transaction, then Griffin also fails to disclose such a feature because Claim 1 recites, in relevant part "storing representations, for at least one entry *in the source table*." Griffin does not disclose directing read transactions to the AdminDB (the feature of Griffin assertedly corresponding to the source table recited in Claim 1 on page 7, lines 1-6 of the Office Action). Rather, Griffin states that "[a]pplication read transactions 21 are directed against one copy referred to herein as ReadDB 22; application update transactions 28 are directed against the other copy referred to herein as AdminDB 20." *See* Griffin at col. 6, lines 10-14 and Figure 2. Consequently, because only update transactions

are directed towards the AdminDB 20 (*i.e.*, the source table of Griffin), it is not necessary to determine whether a read transaction or an update transaction is being directed to the AdminDB 20. Consequently, Griffin does not disclose a condition that must be met prior to storing representations. Thus, Griffin does not disclose storing representations, for at least one entry in the source table, of the action type and of the unique key in a log table under a condition that the action type coincides with a predetermined action type, as recited in Claim 1.

Therefore, for at least these reasons, Applicants respectfully submit that Griffin does not disclose each and every feature recited in Claim 1, and, as such, Applicants respectfully submit that Claim 1 is not anticipated. The rejection of Claims 19 and 22 is deficient for at least one or more of the reasons explained above with respect to Claim 1. Further, it has not been shown how Nowlin overcomes the deficiencies of Griffin.

Claims 2-9 depend from Claim 1; Claims 11-18 depend from Claim 10; and Claims 20-21 depends from Claim 19. Therefore, Applicants respectfully submit that Claims 2-9, 11-18, and 20-21 are allowable for at least the same reasons Claims 1, 10, and 19 are allowable.

Accordingly, Applicants respectfully request withdrawal of the rejections.

### CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the above, and for other reasons clearly apparent, Applicants respectfully submit that the Application is in condition for allowance, and request such a Notice. If the present Application is not allowed and/or if one or more of the rejections is maintained or made final, Applicants hereby request a telephone conference with the Examiner and further requests that the Examiner contact the undersigned attorney to schedule a telephone conference.

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This Amendment is being filed simultaneously with a Request for Continued Examination. The fee in the amount of \$790 for the RCE filing fee has been paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account No. 06-1050 authorization. It is believed that no other fee is due at this time. If this is incorrect, please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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